

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Alan Martin and Dax Partners LP on behalf of  
themselves and all others similarly situated

SUMMONS IN A CIVIL ACTION

V.

Amaranth LLC et al.,

see attachment A

CASE NUMBER:

07 CV 7592

TO: (Name and address of Defendant)

Amaranth Advisors L.L.C.  
One American Lane  
Greenwich, CT 06831

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Christopher Lovell  
Lovell Stewart Halebian LLP  
500 Fifth Avenue, 58th Floor  
New York, NY 10110

an answer to the complaint which is served on you with this summons, within 20 (twenty) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK



(By) DEPUTY CLERK

DATE

AUG 24 2007

UNITED STATES DISTRICT COURT OF THE STATE OF NEW YORK  
SOUTHERN DISTRICT COURT

Index # 07CV7592

Date of Filing 8/24/07

ALAN MARTIN AND DAX PARTNERS LP ON BEHALF OF  
Themselves AND ALL OTHER SIMILARLY SITUATED

Plaintiff

AFFIDAVIT OF  
SERVICE

against  
AMARANTH LLC, ET AL

Defendant

STATE OF NEW YORK, COUNTY OF WESTCHESTER ss: JOHN WILLIAMS The undersigned, being duly sworn, deposes and says;  
Deponent is not a party herein, is over 18 years of age and resides in the STATE OF NEW YORK  
That on SEPTEMBER 7 2007 at 3:55PM., at ONE AMERICAN LANE, GREENWICH, CT 06831  
Deponent served the within

## SUMMONS AND COMPLAINT

☒ Papers served had endorsed thereon index # and date of filing

On AMARANTH ADVISORS LLC

☐ Individual by delivering a true copy of each to said defendant personally, deponent knew the person so served to be the person described as said defendant therein.

☒ Corporation ☐ Religious Entity ☐ Government Entity ☐ Law Office ☐ Medical Facility ☐ Partnership ☐ Other

by delivering thereat a true copy of each to ALLEN MATANO.

Said individual stated she/he is a managing/authorized agent of the corporation, thereof, authorized to accept legal process.

☐ Suitable by delivering thereat a true copy of each to a person of suitable age and discretion.

Age Person Said premises is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode ☐ last known address within the state. Person spoken to verified that defendant actually resides/is employed at these premises.

☐ Affixing by affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place To Door ☐ last known address--within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there: Address Confirmed by

☐ Mailing On deponent enclosed a copy of same in first class envelope properly addressed to recipient's last known

☐ Residence ☐ Business at:

The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

The envelope was placed in an official depository under the exclusive care and custody of the U.S. Postal Service.

☒ Description ☒ Male ☒ White Skin ☒ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.  
☐ Female ☐ Black Skin ☐ Brown Hair ☐ Balding ☒ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.  
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☐ 36-50 Yrs. ☒ 5'4"-5'8" ☐ 131-160 Lbs.  
☐ Brown Skin ☐ Gray Hair ☐ Beard ☐ 51-65 Yrs. ☐ 5'9"-6'0" ☒ 161-200 Lbs.  
☐ White/Hispanic ☐ Red Hair ☐ Glasses ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.  
☐ Bald

Other identifying features:

☐ Fees At the time of said service, deponent paid (tendered) in advance \$ the authorized traveling expenses and one day's witness fee.

☐ Military Defendant in the above entitled action. In response to my questions said person told me that the Defendant was not in the military service or financially dependant upon anyone who is in the military service of the United States of America or of the State of New York in any capacity. From the facts above set forth, I am convinced that the said Defendant is not in the military service at the present time.

Sworn to before me on

December 5, 2007

ELLEN EAKLEY  
Notary Public, State of New York  
No. 01EA5085889  
Qualified in Westchester County  
Commission Expires Sept. 29, 2009

JOHN WILLIAMS

**Attachment A**

-----X  
ALAN MARTIN and DAX PARTNERS LP, :  
individually and behalf of all other :  
persons similarly situated, :  
 :  
Plaintiffs, :  
 :  
-against- :  
 :  
AMARANTH L.L.C., :  
AMARANTH ADVISORS, L.L.C., :  
AMARANTH ADVISORS (CALGARY) :  
U.L.C., AMARANTH GROUP INC., :  
AMARANTH INTERNATIONAL LIMITED, :  
AMARANTH PARTNERS LLC, AMARANTH :  
CAPITAL PARTNERS LLC, NICHOLAS M. :  
MAOUNIS, BRIAN HUNTER, MATTHEW :  
DONOHOE, J.P. MORGAN CHASE & CO., :  
J.P. MORGAN CHASE BANK, INC., :  
J.P. MORGAN FUTURES, INC., AND JOHN :  
DOES NO. 1-10, :  
 :  
Defendants. :  
-----X